

# UNITED STATES DISTRICT COURT

for the

District of \_\_\_\_\_

Division \_\_\_\_\_

CA 19 - 260

richard-ney:aybar  
Plaintiff, Prosecutor, Claimant

Case No. \_\_\_\_\_

(to be filled in by the Clerk's Office)

Plaintiff(s)

(Write the full name of each plaintiff who is filing this complaint. If the names of all the plaintiffs cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

-v-

Jury Trial: (check one) ☒ Yes ☐ No

HARMON LAW OFFICES by and thru Andrew Harmon  
and SPECIALIZED LOAN SERVICING by and thru  
Toby Wells,  
Wrongdoers

Defendant(s)

(Write the full name of each defendant who is being sued. If the names of all the defendants cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

## COMPLAINT FOR A CIVIL CASE

### I. The Parties to This Complaint

#### A. The Plaintiff(s)

Provide the information below for each plaintiff named in the complaint. Attach additional pages if needed.

Name	richard-ney:aybar
Street Address	68 Hathaway st
City and County	Cranston (providence county)
State and Zip Code	Rhode Island [02907]
Telephone Number	4013321997
E-mail Address	RNA3411@gmail.com

#### B. The Defendant(s)

Provide the information below for each defendant named in the complaint, whether the defendant is an individual, a government agency, an organization, or a corporation. For an individual defendant, include the person's job or title (if known). Attach additional pages if needed.

Defendant No. 1

Name	Andrew Harmon (individua/man)
Job or Title <i>(if known)</i>	Managing partner
Street Address	150 California street
City and County	Newton
State and Zip Code	Massachusetts 02458
Telephone Number	tel:617-558-0500
E-mail Address <i>(if known)</i>	

Defendant No. 2

Name	Harmon Law Offices
Job or Title <i>(if known)</i>	
Street Address	150 California street
City and County	Newton
State and Zip Code	Massachusetts 02458
Telephone Number	tel:617-558-0500
E-mail Address <i>(if known)</i>	

Defendant No. 3

Name	Toby Wells (individual/man)
Job or Title <i>(if known)</i>	CEO(specialized loan servicing)
Street Address	8742 Lucent Blvd.
City and County	Highlands Ranch
State and Zip Code	Colorado 80129
Telephone Number	720-241-7200
E-mail Address <i>(if known)</i>	

Defendant No. 4

Name	Specialized Loan Servicing
Job or Title <i>(if known)</i>	
Street Address	8742 Lucent Blvd
City and County	Highlands Ranch
State and Zip Code	Colorado 80129
Telephone Number	
E-mail Address <i>(if known)</i>	

## II. Basis for Jurisdiction

Federal courts are courts of limited jurisdiction (limited power). Generally, only two types of cases can be heard in federal court: cases involving a federal question and cases involving diversity of citizenship of the parties. Under 28 U.S.C. § 1331, a case arising under the United States Constitution or federal laws or treaties is a federal question case. Under 28 U.S.C. § 1332, a case in which a citizen of one State sues a citizen of another State or nation and the amount at stake is more than \$75,000 is a diversity of citizenship case. In a diversity of citizenship case, no defendant may be a citizen of the same State as any plaintiff.

What is the basis for federal court jurisdiction? *(check all that apply)*



Federal question



Diversity of citizenship

Fill out the paragraphs in this section that apply to this case.

### A. If the Basis for Jurisdiction Is a Federal Question

List the specific federal statutes, federal treaties, and/or provisions of the United States Constitution that are at issue in this case.

15 USC 1692, 18 USC 1341, and Unites states constitution 5th amendments

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### B. If the Basis for Jurisdiction Is Diversity of Citizenship

#### 1. The Plaintiff(s)

##### a. If the plaintiff is an individual

The plaintiff, *(name)* \_\_\_\_\_, is a citizen of the State of *(name)* \_\_\_\_\_.

##### b. If the plaintiff is a corporation

The plaintiff, *(name)* \_\_\_\_\_, is incorporated under the laws of the State of *(name)* \_\_\_\_\_ and has its principal place of business in the State of *(name)* \_\_\_\_\_.

*(If more than one plaintiff is named in the complaint, attach an additional page providing the same information for each additional plaintiff.)*

#### 2. The Defendant(s)

##### a. If the defendant is an individual

The defendant, *(name)* \_\_\_\_\_, is a citizen of the State of *(name)* \_\_\_\_\_. Or is a citizen of *(foreign nation)* \_\_\_\_\_.

b. If the defendant is a corporation

The defendant, *(name)* \_\_\_\_\_, is incorporated under the laws of the State of *(name)* \_\_\_\_\_, and has its principal place of business in the State of *(name)* \_\_\_\_\_.

Or is incorporated under the laws of *(foreign nation)* \_\_\_\_\_, and has its principal place of business in *(name)* \_\_\_\_\_.

*(If more than one defendant is named in the complaint, attach an additional page providing the same information for each additional defendant.)*

3. The Amount in Controversy

The amount in controversy—the amount the plaintiff claims the defendant owes or the amount at stake—is more than \$75,000, not counting interest and costs of court, because *(explain)*:

\_\_\_\_\_

### III. Statement of Claim

Write a short and plain statement of the claim. Do not make legal arguments. State as briefly as possible the facts showing that each plaintiff is entitled to the damages or other relief sought. State how each defendant was involved and what each defendant did that caused the plaintiff harm or violated the plaintiff's rights, including the dates and places of that involvement or conduct. If more than one claim is asserted, number each claim and write a short and plain statement of each claim in a separate paragraph. Attach additional pages if needed.

i state and claim a wrong of trespass to my property by way of multiple FDCPA violations, and, frauds and swindles(using US mail). Both defendants have been sent certified mailings requiring debt validation and proof of claim. Both defendants have gone silent(silence can be equated to fraud), but continue the debt collection process. Defendants conspired to deprive me of my property. Defendants actions did and does cause harm and injury to i and my property. Beginning around February 2019 and at various and multiple times prior to the filing of this instant complaint/claim including within the one year preceding the filing of this claim defendants have attempted to collect an alleged outstanding, erroneous, unlawful and invalidated debt.

### IV. Relief

State briefly and precisely what damages or other relief the plaintiff asks the court to order. Do not make legal arguments. Include any basis for claiming that the wrongs alleged are continuing at the present time. Include the amounts of any actual damages claimed for the acts alleged and the basis for these amounts. Include any punitive or exemplary damages claimed, the amounts, and the reasons you claim you are entitled to actual or punitive money damages.

FDCPA Violation - \$1,000.00 continual trespass on my property and presently continuing foreclosure attempts  
Mental anguish - Such relief that may be just and proper

i require a trial by jury

I require a court of record

I require this court to produce the man or woman claiming I owe a debt that is true, due, and owing.

I require this court to produce a photograph of the man or woman claiming I owe such debt.

**V. Certification and Closing**

Under Federal Rule of Civil Procedure 11, by signing below, I certify to the best of my knowledge, information, and belief that this complaint: (1) is not being presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation; (2) is supported by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Rule 11.

**A. For Parties Without an Attorney**

I agree to provide the Clerk's Office with any changes to my address where case-related papers may be served. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

Date of signing: 07/09/2019

Signature of Plaintiff Richard Lee Aybar Sr.  
Printed Name of Plaintiff RICHARD N. AYBAR SR.

**B. For Attorneys**

Date of signing: \_\_\_\_\_

Signature of Attorney \_\_\_\_\_  
Printed Name of Attorney \_\_\_\_\_  
Bar Number \_\_\_\_\_  
Name of Law Firm \_\_\_\_\_  
Street Address \_\_\_\_\_  
State and Zip Code \_\_\_\_\_  
Telephone Number \_\_\_\_\_  
E-mail Address \_\_\_\_\_